AMENDMENT OF DREDGING PERMIT

APPLICANT:
City of Berkeley
Engineering Division
2001 Addison Street, 3rd Floor
Berkeley, California 94704

AREA, TYPE LAND AND LOCATION:
Granted, mineral reservation lands in San Francisco Bay at Berkeley Harbor, Alameda County.

LAND USE:
The original permit allowed the Applicant to dredge a maximum 54,500 cubic yards of material from the City of Berkeley public marina to maintain depth. The material will be deposited at the EPA/Corps-approved in-bay disposal sites SF11-Alcatraz.

TERMS OF ORIGINAL PERMIT:
Initial period:
One (1) year beginning May 24, 1991.

Royalty:
No charge for aquatic disposal and public benefit project; $0.25 per cubic yard for any material sold or used for commercial purposes.

Additional Fee:
$0.25 per cubic yard for any dredged material disposed of at any site in San Francisco Bay, including, but not limited to, SF-11, to offset costs of studies necessary to develop non-bay disposal sites for future use.

TERMS OF PROPOSED PERMIT AMENDMENT:
Increase the volume to be dredged from State-owned lands from 54,500 cubic yards of material to 73,000 cubic yards of material to maintain a previously authorized navigable...
depth. The amendment authorized by BCDC to be dredged from the entirety of the marina will not be exceeded as a consequence of the approval of this amendment.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee and processing costs have been received.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
B. Cal. Code Regs.: Title 3, Div. 3; Title 14, Div. 6.

AB 884:
01/07/92

OTHER PERTINENT INFORMATION:
1. The Commission considered and approved the original project on May 23, 1991. The volume was based on a contractor-estimate. The increased volume is necessary to satisfactorily complete the project.

2. An environmental analysis was prepared, circulated, and adopted for this project through the regulatory program of the SFBCDC which has been certified by the Secretary for Resources as meeting the requirements of P.R.C. 21080.5 for a Functional Equivalent Agency. The document concluded that the project, as defined, will have no significant environmental effects within the Commission’s jurisdiction or special expertise.

The SFBCDC, as Lead Agency, consulted with the Responsible Agencies, as required by the State CEQA Guidelines Section 15263, and determined that the project, as approved, would not have a significant effect on the environment. The consultation included an opinion by the National Marine Fisheries Service that dredging the area under SLC jurisdiction will have no adverse effect on water-run Chinook salmon. The staff of the State Lands Commission has reviewed the SFBCDC’s environmental analysis and believes that the conditions have been met for the Commission, as a Responsible Agency, to use the document as a substitute for a Negative Declaration as provided under the State CEQA Guidelines, Section 15253.

APPROVALS OBTAINED:
United States Army Corps of Engineers, Regional Water
EXHIBIT:  
A. Site Map

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT AN ENVIRONMENTAL ANALYSIS WAS PREPARED, CIRCULATED, AND ADOPTED FOR THIS PROJECT BY THE SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION UNDER ITS CERTIFIED STATE REGULATORY PROGRAM (14 CAL. CODE REGS. 15251(h)); THAT THE CONDITIONS SPECIFIED IN 14 CAL. CODE REGS. 15253(b) HAVE BEEN MET, THAT THE STATE LANDS COMMISSION HAS REVIEWED SUCH DOCUMENT AND, PURSUANT TO 14 CAL. CODE REGS. 15253(a), THE COMMISSION, AS A RESPONSIBLE AGENCY, HAS CONSIDERED THE INFORMATION THEREIN AND ADOPTS THAT ENVIRONMENTAL ANALYSIS AS A SUBSTITUTE FOR NEGATIVE DECLARATION.
